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PTO/SB/21 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/724,833
	Filing Date	December 2, 2003
	First Named Inventor	Thomas Nelson
	Art Unit	1653
	Examiner Name	Rooke, Agnes Beata
Total Number of Pages in This Submission	Attorney Docket Number	17357.01302US

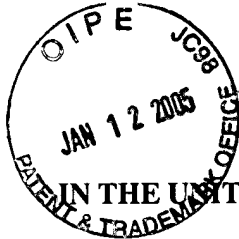
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<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<b>Remarks</b> 1. Statement Under 37 CFR Section 1.97(e)(1) 2. Copy of 1 Cited Reference	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Milbank, Tweed, Hadley & McCloy LLP		
Signature			
Printed name	Einar Stole		
Date	January 12, 2005	Reg. No.	47,272

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Thomas Nelson *et al.* ) Group Art Unit: 1653  
)  
Filed: December 2, 2003 ) Examiner: Rooke, Agnes Beata  
)  
For: *Artificial Low-Density Lipoprotein* )  
Carriers for Transport of Substances )  
Across the Blood-Brain Barrier )

**STATEMENT UNDER 37 C.F.R. § 1.97(e)(2)**

**Mail Stop DD**

Commissioner of Patents  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. § 1.97(e)(1), the information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned attorney, after making a reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of Information Disclosure Statement. Applicants, through their undersigned attorney, first became aware of the information contained in the information disclosure statement in an office action in a related application on November 24, 2004.

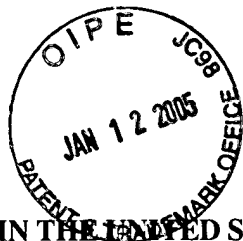
Respectfully submitted,

**MILBANK, TWEED, HADLEY & MCCLOY LLP**

Dated: January 12, 2005

Einar Stole  
Reg. No. 47,272

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1825 Eye Street, N.W., Suite 1100  
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Telephone: (202) 835-7526  
Facsimile: (202) 835-7586



ATTORNEY DOCKET NO. 17357.01302US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Thomas Nelson	)	Group Art Unit: 1653
	)	
Filed: December 2, 2003	)	Examiner: Rooke, Agnes Beata
	)	
For: <i>Artificial Low-Density Lipoprotein</i>	)	
<i>Carriers for Transport of Substances</i>	)	
<i>Across the Blood-Brain Barrier</i>	)	

**SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT**

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U.S. Patent and Trademark Office  
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Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, and in compliance with the duty of disclosure set forth in C.F.R. § 1.56, applicants are submitting herewith copies of references listed on the attached Form PTO/SB/08B for consideration and to be made of record herein by the U.S. Patent and Trademark Office in the above-captioned application.

Consideration of the foregoing plus the prompt return of a copy of the enclosed Form PTO/SB/08B with the Examiner's initials in the left column in accordance with MPEP 609 are respectfully requested.

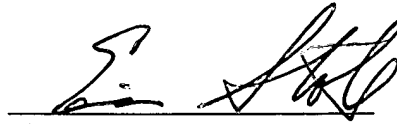
Applicants' submission of the Information Disclosure Statement (IDS) shall not be construed as an admission that the cited references are prior art to the present invention, or that the cited references qualify as printed publications. The submission of this IDS also shall not be construed as a representation that a prior art search has been performed.

In accordance with 37 C.F.R. § 1.97(c), this Information Disclosure Statement is believed submitted before the mailing of a final Official Action and is accompanied by the statement under § 1.97(e). Accordingly, no fee is believed to be required. In the event any additional fee is deemed necessary, the Commissioner is authorized to charge the undersigned's Deposit Account No. 13-3250 under referenced No. 17357.01302US.

Respectfully submitted,

**MILBANK, TWEED, HADLEY & McCLOY LLP**

January 12, 2005

A handwritten signature in black ink, appearing to read 'Einar Stole', is written over a horizontal line.

Einar Stole  
Registration No., 47,272

**Customer No. 38647**

**MILBANK, TWEED, HADLEY & McCLOY LLP**

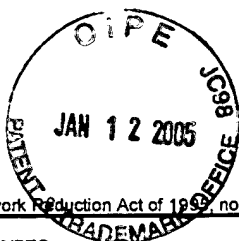
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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/724,833
Filing Date	December 2, 2003
First Named Inventor	Thomas Nelson
Art Unit	1653
Examiner Name	Rooke, Agnes Beata
Attorney Docket Number	17357.01302US

Sheet 1 of 1

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Xu, J. et al., "Tissue-specific regulation by vitamin D3 of a novel protein containing ankyrin-like repeats," Molecular and Cellular Endocrinology, 3 Jan 1997, Vol. 126, No. 1, pp. 101-107, XP0009027368	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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